

thereon, and all records relative to the design, construction, operation, maintenance, repairs, or investigations on or with regard to such area.

(c) The lessee shall, on request, furnish food, quarters, and transportation for MMS representatives to inspect lease facilities and operations. Upon request no later than 90 days after furnishing food, quarters, and transportation, the lessee will be reimbursed for the costs incurred for the food, quarters, and transportation provided MMS representatives as determined by the Regional Director.

§250.122 Best available and safest technologies (BAST).

(a) The Director shall require on all new drilling and production operations and, wherever practicable, on existing operations, the use of the BAST, which the Director determines to be economically feasible, where ever failure of equipment would have a significant effect on safety, health, or the environment, except where the Director determines that the incremental benefits are clearly insufficient to justify the incremental costs of utilizing such technologies.

(b) Conformance to the standards, codes, and practices referenced in this part will be considered to be the application of BAST. Specific equipment and procedures or systems not covered by standards, codes, or practices will be analyzed to determine if the failure of such would have a significant effect on safety, health, or the environment. If such are identified and until specific performance standards are developed by MMS and as directed by the Regional Supervisor on a case-by-case basis, the lessee shall submit such information necessary to indicate the use of BAST, the alternatives considered to the specific equipment or procedures, and the rationale as to why one alternative technology was considered in place of another. This analysis shall include a discussion of the costs involved in the use of such technology and the incremental benefits to be gained.

§250.123 Report of cessation of production.

When a lease is in its extended term in §256.37(b), a report shall be submit-

ted to the District Supervisor when the last well on the lease ceases production. Such a report shall contain the number of the well and the date that the last well ceased production and shall be submitted within 15 days after the end of the first month in which no production occurs. A report is not required when production resumes within 15 days after the end of the first month in which no production occurs or when production ceases as a result of a suspension of production.

§250.124 Appeals, general.

Orders or decisions issued under the regulations in this part may be appealed in accordance with the provisions of part 290 of this title. The filing of an appeal with the Director shall not suspend the requirement for compliance with an order or decision other than the payment of a civil-penalty. This requirement for compliance shall take precedence over any stay that may be granted other than a stay granted by the Secretary.

§250.125 Reports and investigations of apparent violations.

Any person may report to MMS an apparent violation or failure to comply with any provision of the Act, or any provision of a lease, license, or permit issued pursuant to the Act, or any provision of any regulation or order issued under the Act. When a report of an apparent violation has been received or when an apparent violation has been detected by MMS personnel, the matter will be investigated in accordance with MMS procedures.

[56 FR 20129, May 2, 1991. Redesignated at 63 FR 29479, May 29, 1998]

§250.126 Archaeological reports and surveys.

(a) If the Regional Director believes that an archaeological resource may exist in the lease area, the Regional Director will notify the lessee in writing. The lessee shall include an archaeological report in the Exploration Plan or Development and Production Plan and shall comply with the following:

(1) If the evidence suggests that an archaeological resource may be present, the lessee shall either: